

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE	*	BKRTCY. NO. 13-04148 ESL
ROSA MARIA AGUIAR SANTANA	*	CHAPTER 13
<u>DEBTOR</u>	*	

**DEBTOR'S MOTION AND NOTICE OF FILING OF POST-CONFIRMATION  
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329**

**TO THE HONORABLE COURT:**

**COMES NOW, ROSA MARIA AGUIAR SANTANA**, the debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1.The debtor is hereby submitting a post-confirmation modification of Chapter 13 Plan, 11 USC Section 1329, dated September 26, 2014, herewith and attached to this motion.

2.This Plan modification is filed to change the debtor's Plan payment schedule to allow the debtor to continue making the \$150.00 Plan payments to the Trustee for the next twelve (12) months since due to debtor's economic situation, she is unable to increase the Plan payment as of the present date, and increase the amount to be paid in each of the two pending "step-ups" as per previously proposed in debtor's confirmed Plan.

**NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(f)**

**Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13

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Post Confirmation Modification 11 USC 1329

Case no. 13-04148 ESL13

Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular mail to the debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 26<sup>th</sup> day of September, 2014.

/s/Roberto Figueroa Carrasquillo  
ROBERTO FIGUEROA CARRASQUILLO  
USDC #203614  
ATTORNEY FOR PETITIONER  
PO BOX 186 CAGUAS PR 00726  
TEL NO 787-744-7699 FAX 787-746-5294  
Email: [rfigueroa@rfclawpr.com](mailto:rfigueroa@rfclawpr.com)

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 3:13-bk-4148

AGUIAR SANTANA, ROSA MARIA

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>9/26/2014</u> <input type="checkbox"/> AMENDED PLAN DATED: _____																															
<input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																															
<p style="text-align:center"><b>I. PAYMENT PLAN SCHEDULE</b></p> <table style="width:100%"><tr><td>\$</td><td><u>150.00</u></td><td>x</td><td><u>24</u></td><td>= \$</td><td><u>3,600.00</u></td></tr><tr><td>\$</td><td><u>237.00</u></td><td>x</td><td><u>32</u></td><td>= \$</td><td><u>7,584.00</u></td></tr><tr><td>\$</td><td><u>336.00</u></td><td>x</td><td><u>4</u></td><td>= \$</td><td><u>1,344.00</u></td></tr><tr><td>\$</td><td>_____</td><td>x</td><td>_____</td><td>= \$</td><td>_____</td></tr><tr><td>\$</td><td>_____</td><td>x</td><td>_____</td><td>= \$</td><td>_____</td></tr></table> <p style="text-align:right">TOTAL: \$ <u>12,528.00</u></p> <p>Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows: _____ _____</p> <p><input type="checkbox"/> Other: _____ _____</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</p> <p style="text-align:right">PROPOSED BASE: \$ <u>12,528.00</u></p> <p style="text-align:center"><b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)</p> <p>Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>3,000.00</u></p> <p>Signed: <u>/s/ ROSA MARIA AGUIAR SANTANA</u> Debtor</p> <p>_____ Joint Debtor</p>	\$	<u>150.00</u>	x	<u>24</u>	= \$	<u>3,600.00</u>	\$	<u>237.00</u>	x	<u>32</u>	= \$	<u>7,584.00</u>	\$	<u>336.00</u>	x	<u>4</u>	= \$	<u>1,344.00</u>	\$	_____	x	_____	= \$	_____	\$	_____	x	_____	= \$	_____	<p style="text-align:center"><b>II. DISBURSEMENT SCHEDULE</b></p> <p>A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____</p> <p>B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <p>1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> <p>2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <u>MUEBLERIA BERRIC</u> Cr. _____ Cr. _____ # <u>xxx-xx-9468</u> # _____ # _____ \$ <u>978.19</u> \$ _____ \$ _____</p> <p>3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> <p>4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ _____</p> <p>5. <input type="checkbox"/> Other: _____ _____</p> <p>6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to: _____ _____</p> <p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <p>1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____</p> <p>2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p> <p>OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) * "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds." Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to Mueblerias Berrrios thru the Trustee in the sum \$10.00 per month for the next eight months or until confirmation. Debtor surrender collateral/savings in AEG. *Late filed claims filed by creditors will receive no distribution.</p>
\$	<u>150.00</u>	x	<u>24</u>	= \$	<u>3,600.00</u>																										
\$	<u>237.00</u>	x	<u>32</u>	= \$	<u>7,584.00</u>																										
\$	<u>336.00</u>	x	<u>4</u>	= \$	<u>1,344.00</u>																										
\$	_____	x	_____	= \$	_____																										
\$	_____	x	_____	= \$	_____																										

Attorney for Debtor R. Figueroa Carrasquillo Law Office

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Label Matrix for local noticing  
0104-3  
Case 13-04148-ESL13  
District of Puerto Rico  
Old San Juan  
Fri Sep 26 07:59:09 AST 2014

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End of Label Matrix	
Mailable recipients	26
Bypassed recipients	0
Total	26